



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/997,934	11/30/2001	Roger P. Willems	RDH 01/03	5356

7590

12/07/2005

Robert D. Hornbaker
Freilich, Hornbaker & Rosen
10960 Wilshire Blvd., Suite 1220
Los Angeles, CA 90024

EXAMINER

WILLIAMS, MARK A

ART UNIT	PAPER NUMBER
----------	--------------

3676

DATE MAILED: 12/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Response to Remand

The following office communication is in response to the remand from the board of appeals. The present application has been remanded to the examiner for the consideration of two issues. First, the examiner was asked to take corrective action regarding the appeal conference. The examiner would like to point out that an appeal conference was held before the Examiner's answer was sent to the board of appeals. However, the examiner did not have the conferees initial the answer before it was forwarded to the board of appeals. Therefore, the examiner had the conferees initial the examiner's answer to show that an appeal conference was held.

Second, the examiner was asked to consider the IDS of paper number 15. The examiner would like to point out that the IDS of paper number 15, filed on 5/16/05 is a duplicate of the IDS of paper number 4, which was filed on 11/30/01. The examiner has initialed and signed the IDS of paper number 4. Thus, the IDS of paper number 15 has already been considered and is merely a duplicate of the 11/30/01 submission.

The examiner believes that all outstanding issues have been resolved and the application is now ready to be sent back to the board of appeals. Therefore, the examiner will be returning the application to the board of appeals after the mailing of this response.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Williams whose telephone number is 571-272-7064. The examiner can normally be reached on Monday through Thursday 7:00-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Glessner can be reached on 571-272-6842. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mark Williams
Examiner
Art Unit 3676

M.W.
November 11, 2005


BRIAN E. GLESSNER
SUPERVISORY PATENT EXAMINER